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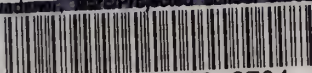
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Third Biennial Report

OF

The State

Civil Service Commission

OF

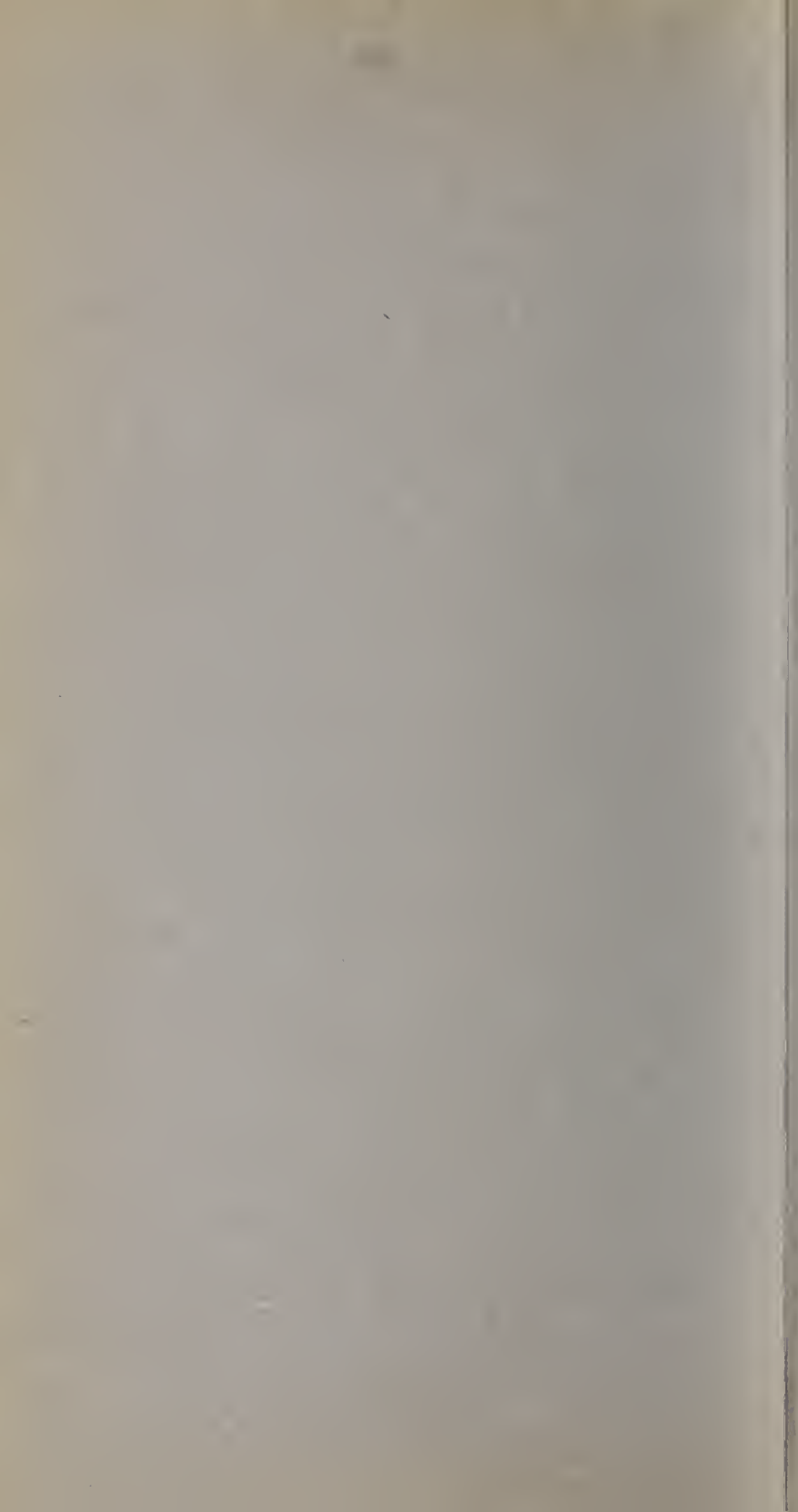
Colorado



1923-1924

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DENVER, COLORADO  
BRADFORD-ROBINSON PTG. CO.  
1925



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Third Biennial Report  
OF  
The State  
Civil Service Commission  
OF  
Colorado



1923-1924

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DENVER, COLORADO  
BRADFORD-ROBINSON PTG. CO.  
1925

## State Civil Service Commissioners

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WILLIAM V. ROBERTS, PRESIDENT

NANCY KIRKLAND

P. J. HAMROCK

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ALICE M. GAFFY, *Secretary*

RUTH A. SPRINGER

*Clerk and Stenographer*

ANNA G. LANDY,

*Assignable Stenographer*

MAE F. THOMAS, *Assignable Stenographer*

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### OFFICE

STATE CAPITOL BUILDING

DENVER, COLORADO



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## Letter of Transmittal

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November 30, 1924.

*To His Excellency,*  
WILLIAM E. SWEET,  
Governor of the State of Colorado.

SIR:

The State Civil Service Commission presents herewith for your consideration its Third Biennial Report, for the biennial period ending November 30, 1924.

(Signed) WILLIAM V. ROBERTS,  
*President*

(Signed) NANCY KIRKLAND,  
*Commissioner*

(Signed) P. J. HAMROCK,  
*Commissioner*



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# Third Biennial Report

OF

## The State Civil Service Commission

Of Colorado

1923-1924

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Denver, Colorado, November 30, 1924.

SIR: The State Civil Service Commission herewith presents a report of its proceedings during the biennial period of 1923 and 1924 under the Constitutional Amendment adopted by the people on November 5, 1918, and subsequent Act of the Legislature, Chapter 20, Session Laws of 1919.

### HISTORY OF ORGANIZATION

The original appointments of members of the Civil Service Commission made by Governor Julius C. Gunter, after his proclamation of the civil service amendment, were for two, four and six years; terms beginning and expiring January 9. The question was raised as to the correctness of this date of appointment and upon legal advice, Governor Oliver H. Shoup appointed Colonel Patrick J. Hamrock to succeed Edward L. Trounstone, whose term of office expired January 9, 1923. Governor Shoup accepted the resignation of Edward L. Trounstone as of December 31, 1922 and issued the following executive order:

### EXECUTIVE ORDER

MEMBER, STATE CIVIL SERVICE COMMISSION

ORDERED:

That Mr. P. J. Hamrock, of the City and County of Denver, State of Colorado, be and he hereby is appointed a member of the State Civil Service Commission, for a term expiring December 31, 1928.

GIVEN under my hand and the Executive Seal this second day of January, A. D. 1923.

(Signed) OLIVER H. SHOUP,

(SEAL)

*Governor*

In order to protect his appointee in case the legality of his first appointment should be questioned, Governor Shoup issued the following executive order on January 9, 1923:

### EXECUTIVE ORDER

MEMBER, STATE CIVIL SERVICE COMMISSION

ORDERED:

That Mr. P. J. Hamrock, of the City and County of Denver, State of Colorado, be and he hereby is appointed a member of the State Civil Service Commission, for a full term of six years, said term expiring January 9, 1929.

GIVEN under my hand and the Executive Seal this eighth day of January, A. D. 1923.

(Signed) OLIVER H. SHOUP,

(SEAL)

*Governor*

After the issuance of the first executive order—that of January 2, 1923, the Commission met and re-elected William V. Roberts president.

Governor William E. Sweet, immediately after his inauguration, appointed Elizabeth Quereau to the position of Civil Service Commissioner for a term of six years, expiring January 9, 1928. This appointee made demand upon Colonel Hamrock to relinquish the office, which he refused to do. Ouster proceedings were started in the District Court, resulting in a decision upholding Governor Shoup's appointment of December 31. An appeal was taken to the Supreme Court, where the decision of the lower court was upheld thus definitely fixing December 31 as the date of appointment of members of the Civil Service Commission. The personnel at the present time is as follows:

Nancy Kirkland, Commissioner, December 31, 1924.

William V. Roberts, President, December 31, 1926.

Patrick J. Hamrock, Commissioner, December 31, 1928.

The classified service comprises practically every appointive position in the state service, which includes, at the time this report goes to press, one thousand three hundred twenty-two (1,322) employes; nine hundred ninety-nine (999) males, three hundred twenty-three (323) females.

Inadequate appropriations have handicapped the Commission in many instances where it has endeavored to enlarge the scope of the merit system. However, larger appropriations were made by the last General Assembly than heretofore and for this reason the Commission was able to hold examinations in centrally located parts of the State, thus making it possible for many persons to compete in examinations who could not afford the expense of coming to Denver.

There are eight hundred thirty-nine (839) permanently certified employes in positions in the classified service; four hun-

dred thirty-nine (439) provisionals and forty-four (44) temporary employes. More than half of these provisionals are employed in the institutions in positions in which it has been almost impossible to interest persons on eligible lists, on account of the low salaries paid.

The Commission has earnestly endeavored to bring about a uniform scale of salaries, but under the present method of appropriating funds for departments and institutions, it has been very difficult. In practically every instance, appropriations are made in such a way that an employe just entering the service is paid the same salary as an employe who has been in the service a number of years and who has, through diligent application, become proficient in his position. However, the budget system has been gone into thoroughly during the past biennial period and recommendations will be made to this General Assembly which, if accepted, will result in substantial increases to a great many employes who have been in the service a number of years, who have been faithful, loyal and efficient in their positions but are still receiving the salary paid them upon their entrance into the service.

Increases in salaries, when recommended by heads of departments, have been allowed in cases where the Commission was of the opinion that the employes merited the increases and where appropriations were made in bulk and no definite sums fixed for the biennial period.

The Commission heartily endorses the recommendations made by the Budget Commissioner for increases in salaries of every employe who has been in the service for more than one year.

The Commission has worked untiringly to bring the merit system to the highest point of efficiency. Retention in the service of employes who are inefficient and lack discipline must rest entirely upon heads of departments and institutions. Employes who are incompetent or inattentive to their duties will not be protected by the Civil Service Commission but will be immediately removed from the service when proof of their unfitness is placed before the Commission in the proper manner. Protection to the full extent of the law will be given those employes who are faithfully and efficiently performing their duties and putting forth their best efforts to promote the efficiency of the service.

The Commission holds formal weekly meetings, at which all matters pertaining to the employments in the classified service are carefully considered and discussed. Informal meetings are called whenever the business of the Commission warrants.

A complete and detailed record of the employment of every person in the classified service is kept in the office of the Commission. Any changes effecting an employe is recorded in the minutes of the meetings of the Commission, on a roster card containing the name and other pertinent information relative

to employe's employment, and in a permanent book roster, so that a complete record of every employe is available at all times.

Payrolls containing the names of all employes in the classified service are certified by the Commission each month and payrolls must agree in every respect with the roster on file in the office of the Commission.

## APPROPRIATIONS AND EXPENDITURES FOR THE BIENNIAL PERIOD

### APPROPRIATIONS, 1923-1924

3 Commissioners, salaries.....	\$18,000.00
1 Secretary, salary.....	4,800.00
1 Clerk and Stenographer, salary.....	2,400.00
2 Assignable Stenographers for use of various departments, salaries	4,800.00
Traveling and Incidental.....	2,000.00
General Incidental.....	2,000.00
	<hr/>
	\$32,000.00

### EXPENDITURES, 1923-1924

3 Commissioners, salaries.....	\$18,000.00
1 Secretary, salary.....	4,800.00
1 Clerk and Stenographer, salary.....	2,400.00
2 Assignable Stenographers.....	4,800.00
Traveling and Incidental.....	2,000.00
General Incidental, including stationery, office supplies, postage, advertising and conducting examinations.....	2,000.00
	<hr/>
	\$32,000.00

## COMPLAINTS AND CHARGES

The following complaints and charges were filed with the Commission during the biennial period ending November 30, 1924. The Commission thoroughly investigated all cases brought before it and where the case was of sufficient consequence, formal hearing was held, witnesses summoned, testimony taken and a complete record of the case transcribed and placed on file. The Commission endeavored to give fair and impartial hearings and its findings in every case were based entirely upon the evidence presented. Of the amount appropriated for General Incidental Expenses for the present biennial period, over five hundred dollars (\$500.00) was expended by the Commission in conducting hearings of complaints and charges.

### CASE No. 24.

J. E. Smith and Damasi Vegil vs. W. S. Abbott, Deputy Water Commissioner, District No. 16. Neglect of duty; discriminating against water owners having priority rights; disobeying orders of Water Commissioner. Case dismissed for lack of evidence.

### CASE No. 25.

Juan G. Bustos, Daniel Guerrero and Teofilio Bustos vs. Toodoro Sandoval. Discrimination and unfairness. Case dismissed for lack of evidence.



## CASE No. 26.

Thomas J. Tynan and C. J. Scribner vs. Alfred Booco, Water Commissioner, District No. 58. Incompetency. Respondent resigned before hearing was held.

## CASE No. 27.

Ellis Ditch and Reservoir Company, et al. vs. James H. Ellis, Deputy Water Commissioner, District No. 16. Unfair distribution of water; showing partiality and favoritism to certain water users and discriminating against others; neglect of duty. After hearing case, Commission held that respondent was not to blame for unfair distribution of water, and made certain recommendations for the betterment of the service, urging closer co-operation between Water Commissioner and deputies. Complaint and charges dismissed.

## CASE No. 28.

W. S. Green vs. Fred L. Paddelford, Superintendent of State Industrial School for Boys. Guilty of criminal carelessness in caring for inmates; has allowed the school to become insanitary; has failed to provide system of discipline; generally incompetent, inefficient and arbitrary. The Commission, after hearing of case, found that sufficient evidence had not been produced to support the charges; ordered that a resident physician be employed; that the State Inspector of Plumbing be requested by the Board of Control to make a survey of sanitary conditions at the school; that watchman be placed outside of rooms where inmates are confined, in order to afford protection in case of fire or accident. Case dismissed account charges not sustained.

## CASE No. 29.

State Board of Land Commissioners vs. Nina Means, Assistant Chief Appraiser and Stenographer. Insubordination. The Commission, after hearing of case, reprimanded respondent for disobedience and breach of discipline, and penalized her to extent of suspension without pay for thirty days.

## CASE No. 30.

Colorado State Fair Commission vs. J. L. Beaman, Manager. Insubordination; inefficiency; failure to keep accurate account of business of State Fair Commission; failure to transmit to State Treasurer monies collected; co-mingling of various funds. Suspension and removal made permanent.

## CASE No. 31.

Dr. C. A. Lory, President, State Agricultural College vs. Guy O. Norman, Fireman. Insubordination; unsatisfactory service. Suspension and removal made permanent.

## CASE No. 32.

Robert A. Grund vs. John R. Smith, Chief Prohibition Agent, Law Enforcement Department. Charging that respondent addressed complainant in insulting and humiliating manner, calling

him profane names and attacking him; thereafter refusing to allow complainant to continue in employment of Law Enforcement Department; that conduct of respondent was actuated by malice, hatred and ill will. Case set for hearing November 12, 1924. By mutual consent of all concerned, continued to December 10, 1924.

### LEGAL OPINIONS

March 1, 1923, the Attorney General held that there is no classification of "confidential clerks" under the civil service rules, and no such classification is justifiable under the law.

March 21, 1923, an opinion to the effect that a rule, in substance as follows, should be adopted by the Civil Service Commission: "No person shall be permitted to examine the lists of questions or any examination papers in the hands of the Civil Service Commission, unless, in the opinion of all the members of the Commission, such examination is required in the interest of the public service."

April 6, 1923, an opinion authorizing the payment of salary to William Thomas, Investigator, State Board of Charities and Corrections, for the biennial period ending November 30, 1922.

May 24, 1923, an opinion concerning employes whose positions of recorders in the office of Secretary of State were not included in Long Appropriation Bill; holding that they are entitled to positions as clerks.

May 25, 1923, holding that Secretary of State Board of Health is properly in the classified civil service.

June 11, 1923, an opinion concerning superintendents and assistant superintendents of employment agencies—office of Secretary of State; that there are no continuing appropriations and no funds out of which said employes could be paid.

June 12, 1923, an opinion addressed to Wyatt Boger, member of Colorado State Fair Commission—copy to this Commission—to the effect that the position of Manager, State Fair Commission, should be included in the classified civil service.

September 16, 1923, an opinion to Secretary of State—copy to this Commission—holding that the Secretary of State has authority to abolish position of Corporation Statistician, but ruling that the person holding that position is entitled to a position of similar duties in office of Secretary of State.

November 12, 1923, an opinion to Chief Prohibition Agent—copy to this Commission—to the effect that there is no authority for payment of provisional appointee in the Law Enforcement Department, when there is an eligible list from which permanent appointments can be made.

January 14, 1924, an opinion to the Industrial Commission of Colorado—copy to this Commission—stating that the case of Arthur M. Stong, et al. vs. H. E. Curran controls the case of



Clerk of Statistics, office of Industrial Commission; i. e., that the Governor is without power to veto a portion of a "separate, distinct and indivisible item."

January 28, 1924, an opinion to the State Auditing Board—copy to this Commission—setting forth that the appointment of two clerks by the State Budget and Efficiency Commissioner, without the approval of the Civil Service Commission, is not legal, and such appointment should not be recognized by the State Auditing Board.

January 30, 1924, an opinion relative to appropriation for assignable stenographers—holding that the veto by the Governor of part of the appropriation is valid; that it is not similar to the case of *Arthur M. Stong vs. H. E. Curran*; that there remained in the Assignable Stenographer Fund, after the Governor's veto, forty-eight hundred dollars (\$4,800.00) for the biennial period.

### SUPREME COURT DECISIONS

Removal of eight inspectors, Motor Vehicle Department, by Secretary of State, on account of change in title and duties of positions, upheld in decision of Judge Julian H. Moore in the District Court. Appeal made to Supreme Court and decision of lower court upheld.

Action in mandamus to compel payment of salary of William Thomas. Supreme Court upheld decision of District Court, ordering payment of salary.

Action in quo warranto proceedings, *People of State of Colorado* upon the relation of Elizabeth Queureau against P. J. Hamrock to oust him from office of State Civil Service Commissioner and for an adjudication that the relator was entitled to the office. Judgment for the defendant. Appeal made to Supreme Court, where opinion of lower court was affirmed—making legal the appointment on December 31, 1922, of P. J. Hamrock as State Civil Service Commissioner and definitely fixing December 31 as the date of appointment of all members of the State Civil Service Commission.

### SUMMARY AND RECOMMENDATIONS

As previously stated, the appropriations allowed for the past biennial period were a little more generous than those of other years. In the appropriation was included a fund for Assignable Stenographers. Of the amount appropriated \$2,400.00 was vetoed by the Governor, the remaining \$4,800.00 allowing for the employment of only two assignable stenographers instead of three—as designated by the Legislature. These stenographers were subject to call by all departments when additional help was needed. A considerable saving to the State was made possible by the employment of the assignable stenographers, as many depart-

ments would have been obliged to employ an additional stenographer, at a salary of \$100.00 per month, the entire year, when their services would actually be required for only a few months.

The summary will show that fewer examinations were held during the years 1923 and 1924 than during the previous biennial period, but a greater number of applicants appeared. The examinations given carried considerable detail as the majority were for positions of a technical nature, requiring special training and experience. It was necessary to solicit the services of assistant examiners in preparing the technical questions for these examinations, and the Commission wishes to take this opportunity to thank those who, without compensation, so willingly assisted in conducting examinations.

Applicants in all examinations praised highly the subject matter upon which they were examined and without exception proclaimed the examinations as fitting the duties of the positions. The Commission endeavors to place before applicants questions which pertain absolutely to the position for which examination is being given and only such as will test their ability and fitness.

It is recommended that the appropriations granted the Commission for the coming biennial period be not less than those allowed for the years 1923-1924, and that the additional employe, so urgently needed in the office of the Commission itself and for whom no appropriation was allowed during the past two years, be again included, as the Commission has been handicapped by the lack of the services of this additional employe and a considerable hardship has been imposed upon the two remaining employes in keeping the details of the office up to date—which is imperative—as the records are open for public inspection at all reasonable times and it is necessary that they be so maintained as to be available without delay.

Respectfully submitted,

(Signed) WILLIAM V. ROBERTS,  
*President*

(Signed) NANCY KIRKLAND,  
*Commissioner*

(Signed) P. J. HAMROCK,  
*Commissioner*

## SUMMARY OF OPEN COMPETITIVE EXAMINATIONS 1923-1924

Kind	Number of Persons		
	Applied	Examined	Passed
Assembled .....19	425	359	262
Total number of applicants.....			<b>425</b>
Total number examined, males.....			279
Total number examined, females.....			80
			— 359
Total number of eligibles, males.....			189
Total number of eligibles, females.....			73
			— 262

EMPLOYEES IN CLASSIFIED SERVICE		CHANGES IN SERVICE	
Male .....	999	Promotions .....	61
Female .....	323	Transfers .....	68
	<hr/>	Reinstatements .....	20
	1,322	Demotions .....	3
		Resignations .....	360
APPOINTMENTS, RESULT		Discharges .....	9
EXAMINATIONS		Deaths .....	24
Permanent .....	116	Suspensions .....	5
Temporary .....	8	Leaves of absence.....	120
	<hr/>		
	124		
Declination of appointment	59		

## SCHEDULE OF EXAMINATIONS

1923

## NOTICE OF EXAMINATIONS

Notice is hereby given that the State Civil Service Commission of Colorado will hold open competitive examinations as follows:

*Applicants must be electors of Colorado* (citizens of the United States, over 21 years of age, who have resided in Colorado for the past year); applications must be on blank forms obtained from the Commission, which will be furnished upon request.

*All applications must be in the office of the Commission not later than seven (7) days prior to the date of examination, together with the examination fee of \$1.00. Oral tests will be given if the Commission deems it necessary in order to further determine the qualifications of the applicant. Applicants must also submit to physical examination when required.*

*Applicants must furnish pens, pencils, erasers, ink, etc., and when examined for Clerk-Typist, Stenographer and Clerk and Stenographer must furnish their own typewriters, labeled with their own names.*

In all assembled or non-assembled examinations, when applicants are required to have had experience, training equivalent to experience will be given equal credit in lieu thereof.

*Unless otherwise designated elsewhere on this schedule, all assembled examinations will be held on the stated days at 9 o'clock A. M., in the examination room of the State Civil Service Commission, 315 Capitol Building, Denver, Colorado.*

### **JUNE 22, 1923**

**WATER COMMISSIONERS**—State Engineer's Department. Water Districts 2, 3, 7, 11, 16, 17, 24, 27, 38, 43, 48, 49, 51, 57, 58, 59, 60, 62, 65. Applicants must apply for application blank for the particular District for which they wish to be examined. Examination will be held at Denver, Fort Collins, Grand Junction, Pueblo.

### **JUNE 26, 1923**

**CLERK**  
**CLERK-TYPIST**

{ For all State Departments and Institutions. Eligible lists resulting from these two examinations will be used to fill positions, regardless of title, which in the opinion of the Commission, embody duties of a clerical nature. Examinations will be held at Denver and Fort Collins.

### **JUNE 28, 1923**

**STENOGRAPHER**  
**CLERK AND STENOGRAPHER**

{ For all State Departments and Institutions. Examinations will be held at Denver and Fort Collins.

### **JULY 10, 1923**

**CHIEF PROHIBITION AGENT**  
**DEPUTY PROHIBITION AGENT**

{ Law Enforcement Department.

### **JULY 12, 1923**

**SECRETARY**—State Industrial Commission.

(Must act as Attorney for Industrial Commission.)

**RATE EXPERT**—Public Utilities Commission of Colorado.

### **JULY 19, 1923**

**REPORTER**—For all Departments and Institutions.

**JULY 24, 1923**

STATE OFFICER—Bureau of Child and Animal Protection.  
RURAL SCHOOL SUPERVISOR—Superintendent of Public Instruction.

CHIEF CLERK—All State Departments and Institutions.

STATE CIVIL SERVICE COMMISSION OF COLORADO,

315 Capitol Building,

May 28, 1923

Denver, Colorado

### NOTICE OF EXAMINATIONS

*Notice is hereby given that the State Civil Service Commission of Colorado will hold open competitive examinations as follows:*

*All applicants must be electors of Colorado (citizens of the United States, over 21 years of age, who have resided in Colorado for the past year); applications must be on blank forms obtained from the Commission, which will be sent upon request.*

*All applications must be in the office of the Commission not later than seven (7) days prior to the date of the examination, together with the examination fee of \$1.00. Oral tests will be given if the Commission deems it necessary in order to further determine the qualifications of the applicant. Applicants must also submit to physical examination when required.*

*Applicants must furnish pens, pencils, erasers, ink and blotters.*

In all assembled or non-assembled examinations, when applicants are required to have had experience, training equivalent to experience will be given equal credit in lieu thereof.

Unless otherwise designated elsewhere on this schedule, all assembled examinations will be held on the stated days at 9:30 A. M., in the *House Chamber, State Capitol Building, Denver.*

**DECEMBER 4, 1923**

RAILWAY AND HYDRAULIC ENGINEER—Public Utilities Commission of Colorado.

**DECEMBER 6, 1923**

DEPUTY REGISTER—State Board of Land Commissions.

COLORADO STATE CIVIL SERVICE COMMISSION,

315 Capitol Building,

November 8, 1923

Denver, Colorado

**1924**

### NOTICE OF EXAMINATIONS

*Notice is hereby given that the State Civil Service Commission of Colorado will hold open competitive examinations as follows:*

*All applicants must be electors of Colorado (citizens of the United States, over 21 years of age, who have resided in Colorado*

for the past year); applications must be on blank forms obtained from the Commission, which will be sent upon request.

*All applications must be in the office of the Commission not later than seven (7) days prior to the date of the examination, together with the examination fee of \$1.00. Oral tests will be given if the Commission deems it necessary in order to further determine the qualifications of the applicant. Applicants must also submit to physical examination when required.*

*Applicants must furnish pens, pencils, erasers, ink and blotters.*

In all assembled or non-assembled examinations, when applicants are required to have had experience, training equivalent to experience will be given equal credit in lieu thereof.

Examinations listed herein will be held on the stated days at 9:30 A. M., in the *House Chamber, State Capitol Building, Denver.*

**APRIL 2, 1924**

RODMAN—State Highway Department.

**APRIL 3, 1924**

INSTRUMENTMAN—State Highway Department.

**APRIL 4, 1924**

RESIDENT ENGINEER—State Highway Department.

**APRIL 9, 1924**

PAYROLL AUDITOR—State Industrial Commission.

COLORADO STATE CIVIL SERVICE COMMISSION,  
315 Capitol Building,

March 7, 1924

Denver, Colorado



## CONSTITUTIONAL AMENDMENT

---

Article XII, Section 13, of the Constitution of the State of Colorado:

Appointments and employments in and promotions to offices and places of trust and employment in the classified civil service of the State shall be made according to merit and fitness, to be ascertained by competitive tests of competence, the person ascertained to be the most fit and of the highest excellence to be first appointed. All appointees shall be qualified electors of the State of Colorado, except as to those offices or positions held by the Civil Service Commission to require special training and technical qualifications, in which cases competitive tests need not be limited to qualified electors and may be held without the State.

The classified civil service of the State shall comprise all appointive public officers and employes and the places which they hold, except the following: Judges of courts of record and one stenographer of each judge, one clerk for each court of record, persons appointed to perform judicial functions, receivers, jurors, members of boards or commissions appointed by the Governor and serving without pay, members of the State Industrial Commission, of the Public Utilities Commission and of the State Civil Service Commission, the Governor's private secretary and three confidential employees of his office, appointees to fill vacancies in elective offices, one deputy of each elective officer, the position involving the duties incident at present to the position of that deputy of the Secretary of State, known as Deputy Commissioner of Labor and the incumbent thereof, officers and teachers in educational institutions not reformatory or charitable in character, all attorneys at law serving as such, and the officers and employees of the General Assembly.

Persons in the classified service shall hold their respective positions during efficient service and shall be graded and compensated according to standards of efficient service which shall be the same for all persons having like duties. They shall be removed or disciplined only upon written charges, which may be filed by the head of a department or by any citizen of the State, for failure to comply with such standards, or for the good of the service, to be finally and promptly determined by the Commission upon inquiry and after an opportunity to be heard. No person shall be discharged for a political or a religious reason. In cases of emergency or for employment of an essentially temporary character, the Commission may authorize temporary employment without a competitive test.

Laws shall be made to enforce the provisions of this section and to establish a State Civil Service Commission to consist of three members who shall be appointed for overlapping terms by the Governor alone and who shall be persons of known devotion to the merit system. The first three Commissioners appointed hereunder shall hold for two, four and six years respectively. Thereafter the term of a Commis-

sioner shall be six years, except where an appointment is made to fill an unexpired term. A salary of not less than \$2,500 per annum shall be paid to each commissioner. The making and enforcement of rules to carry out the purposes of this amendment and of the laws enacted in pursuance hereof, the alteration and recission of such rules, the conduct of all competitive tests, the determination of all removal or disciplinary cases, the standardization of all positions, the determination of standards of efficient service and the determination of the grades of all positions in the classified service shall be vested in the Commission. No person in the classified service shall be paid until a certificate is furnished by the Commission that the appointment has been made pursuant to law.

Adequate appropriations shall be made to carry out the purposes of this Section and in the absence of such adequate appropriations, the salaries and expenses of the Commission shall be paid as are the salaries and expenses of the Executive officers of the State government.

All persons holding positions in the classified service as herein defined when this section takes effect shall retain their positions until removed under the provisions of the laws enacted in pursuance hereof.

This section shall be self-executing.

Approved by the People November 5th, 1918.

Proclaimed by the Governor December 31st, 1918.

## Chapter 20

### Session Laws 1919

#### AN ACT

TO APPLY THE MERIT SYSTEM TO APPOINTMENTS IN THE CIVIL SERVICE OF THE STATE OF COLORADO, PURSUANT TO ARTICLE XII, SECTION 13, OF THE CONSTITUTION OF THE STATE OF COLORADO.

Section 1. That pursuant to Article XII, Section 13, of the Constitution of Colorado, a State Civil Service Commission created by said Article is hereby established; to consist of three members appointed for overlapping terms by the Governor alone and who shall be persons of known devotion to the merit system. The three Commissioners heretofore appointed under said Article XII, Section 13, of the Constitution of Colorado shall hold for two, four and six years respectively. Thereafter the term of a Commissioner shall be six years, except where an appointment is made to fill an unexpired term. Each Commissioner shall receive as compensation for his services an annual salary of Three Thousand Dollars, payable monthly, and his actual necessary expenses incurred in the performance of his duties; the Commission is hereby authorized to appoint a secretary at a salary of Twenty-four Hundred Dollars per annum.

Section 2. Appointments and employments in and promotions to offices and places of trust and employment in the classified civil service of the State, as provided by Article XII, Section 13, of the Consti-



tution of the State of Colorado, shall be made according to merit and fitness, to be ascertained by competitive tests of competence, the person ascertained to be the most fit and of the highest excellence to be the first appointed. All appointees shall be qualified electors of the State of Colorado, except as to those offices or positions held by the Civil Service Commission to require special training and technical qualifications, in which case competitive tests need not be limited to qualified electors and may be held without the State as provided in Article XII, Section 13, of the Constitution of the State of Colorado.

Section 3. The classified civil service of the State shall comprise all appointive public officers and employees and the places which they hold, except the following: Judges of courts of record and one stenographer of each judge, one clerk for each court of record, persons appointed to perform judicial functions, receivers, jurors, members of boards or commissions appointed by the Governor and serving without pay, members of the State Industrial Commission, of the Public Utilities Commission and of the State Civil Service Commission, the Governor's private secretary and three confidential employees of his office, appointees to fill vacancies in elective offices, one deputy of each elective officer, the position involving the duties incident at present to the position of that deputy of the Secretary of State, known as Deputy Commissioner of Labor and the incumbent thereof, officers and teachers in educational institutions not reformatory or charitable in character, all attorneys at law serving as such, and the officers and employees of the General Assembly.

Section 4. Persons in the classified service shall hold their respective positions during efficient service and shall be graded and compensated according to standards of efficient service which shall be the same for all persons having like duties. They shall be removed or disciplined only upon written charges, which may be filed by the head of a department or by any citizen of the State, for failure to comply with such standards, or for the good of the service, to be finally and promptly determined by the Commission upon inquiry and after an opportunity to be heard. No person shall be discharged for a political or a religious reason. In cases of emergency or for employment of an essentially temporary character, the Commission may authorize temporary employment without a competitive test.

Section 5. The making and enforcement of rules to carry out the purposes of the constitutional provision and of this act; the alteration and rescission of such rules, the conduct of all competitive tests, the determination of all removal or disciplinary cases, the standardization of all positions, the determination of standards of efficient service, and the determination of the grades of all positions in the classified service, shall be vested in the Commission. No person in the classified service shall be paid until a certificate is furnished by the Commission that the appointment has been made pursuant to law.

Section 6. All persons holding positions in the classified service as defined in the constitutional amendment pursuant to which this act is drawn, when said Article became effective, shall retain their posi-

tions until removed under the provisions of said constitutional amendment and this act.

Section 7. Whoever makes an appointment to office, or selects a person for employment contrary to, or discharges an employee otherwise than in accordance with the provisions of Article XII, Section 13, of the Constitution of the State of Colorado, or of this Act, or of any rule of the Commission, or refuses or otherwise neglects to comply with the provisions of Article XII, Section 13, of the Constitution of the State of Colorado, or of this Act or of any rule of the Commission shall be deemed guilty of a misdemeanor and for each and every offense shall, upon conviction, be punished by a fine not to exceed one thousand dollars.

Four times the amount of any payment contrary to the provisions of Article XII, Section 13, of the Constitution of the State of Colorado, or of this Act or of any rule of the Commission may be recovered from any member of a board or officer signing, or countersigning, any warrant therefor or paying any such warrant, or from the sureties on the official bonds of any officer or member, or from the officer and his said sureties, in an action brought by the State, or by any taxpayer. The amount of such judgment shall be paid to the State.

Section 8. It shall be the duty of the Commission to investigate all alleged breaches of Article XII, Section 13, of the Constitution of this Act, and of its rules, and in the course of such investigation they, or any of them, may subpoena witnesses, administer oaths, compel the testimony of witnesses, and the production of books, papers and records relevant to such inquiry, and it shall be the duty of any person subpoenaed to appear and testify, and to produce such books, papers and records as are called for in such subpoena. The same compensation shall be allowed for the attendance of witnesses and service of papers by officers as is allowed by law in the district courts of the respective counties in which such investigation shall be held, and the Commission shall certify such amounts to the Auditor of State, for payment from the fund which shall be appropriated for the purpose of carrying Article XII, Section 13, of the Constitution, this act and the rules of the Commission into effect.

Section 9. The Commission shall keep records of its proceedings and of all examinations held by it, or under its authority. All records and documents filed with the Commission shall be preserved as public records. The minutes of the proceedings of the Commission and all eligible lists, shall be open at all reasonable times to public inspection.

The commission shall, on or before the first day of December preceding each regular session of the General Assembly, make a report to the Governor of its work during the preceding two years, including all rules adopted, and any suggestions for legislation to carry out the purposes of Article XII, Section 13, of the Constitution and of this act. This report shall be printed and distributed as a public document.

Section 10. Every applicant for examination shall pay the Commission a fee of one dollar (\$1.00), for the purpose of defraying so

far as possible the expense of conducting said examination and other expenses of the Commission. All moneys received or collected by the Commission shall be paid into the State Treasury daily, and shall be by the State Treasurer placed in a separate account to the credit of the Commission to be paid out only on order of the Commission, for the purpose of paying expenses incurred by the Commission, and no person shall be examined or certified to any eligible list until such fee has been paid.

Section 11. If any section, sub-section, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The legislature hereby declares that it would have passed the act, and each section, sub-section, sentence, clause and phrase thereof irrespective of the fact that any one or more sections, sub-sections, sentences, clauses or phrases be declared unconstitutional.

Section 12. An Act of the General Assembly, entitled, "An Act concerning Civil Service and to repeal an act entitled 'An Act in relation to Civil Service in the State Institutions and Municipalities,' approved March 30, 1907, and to repeal an act entitled 'An Act to amend an act entitled "An Act in relation to Civil Service in State Institutions and Municipalities," approved March 30, 1907, so that the title will read 'An Act relating to Civil Service' and to amend Sections 3, 10, 17 and 21, and to repeal Section 11 of said Act' adopted by the people of the State of Colorado, effective January 22, 1913," approved April 10th, 1915, known as Chapter 51, laws of 1915, be and the same is hereby repealed, as well as all other acts and parts of acts inconsistent with the provisions of this act.

Section 13. The General Assembly hereby declares this Act necessary for the immediate preservation of the public peace, health, and safety.

Section 14. Whereas, in the opinion of the General Assembly an emergency exists, therefore this act shall take effect and be in force from and after its passage.

Approved April 9, 1919—1:20 p. m.

## REGULATIONS

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### INSTRUCTIONS TO APPLICANTS FOR THE CLASSIFIED SERVICE.

#### I. General Suggestions.

These instructions should be carefully read, as they answer most of the questions which applicants ask. The Commission cannot undertake to answer inquiries as to vacancies in the service, duties, salaries, prospect of appointment or promotion, or as to the course of preparation which applicants should follow, or inquiries relating to cases which are not officially before it for decision; nor can it decide, except in the case of actual applicants, questions respecting the application of the rules. Where no exceptions are specified none are allowed. Inquiries in regard to examinations and other business should be made directly to the State Civil Service Commission, and preferably by calling in person at its office.

#### II. Obtaining and Filling Out Application Blanks.

Applicants for examination or registration must file applications for the particular examination or registration which they seek, within the time advertised for that purpose, on a form furnished on request by the Commission, and receive official notice of the examination or registration before they can be examined or registered.

Full instructions for the execution of the application will be found on the blank itself, and applicants are cautioned to answer all questions and conform in all respects to the printed instructions.

The certificates of three vouchers required in the application papers are of the utmost importance. Applicants should seek as vouchers men who have employed them or who have known them **practically** in their calling. The certificates are of weight only so far as they show real or close knowledge of the candidates, and the Commission's action can in no way be biased by the political influence, real or supposed, of the signers. No recommendation other than those provided for in the application blank shall be filed with the Commission.

All statements in applications and in certificates of vouchers shall be subject to investigation by the Commission.

An application will be good for only one examination, and if an applicant desires to take more than one he must file a separate application for each.

All applications which show the applicant to be ineligible for the examination or registration which he seeks, will be disapproved and retained in the files of the Commission. All applications which are defective in their execution and can be corrected by the applicant, will be returned for correction. All unused applications will be cancelled, after they have been on file one year, on the order of the Commission.

Applications which have been approved or disapproved and all examination papers of competitors form a part of the official records of the Commission and can not, under any circumstances, be returned to the applicants.

### III. Persons Who Will Not Be Examined, Registered or Certified.

No person shall be examined, registered or certified for a position:

1. Who has not paid the Commission the sum of one dollar. This applies to all applicants except unskilled laborers.
2. Who has not, within the time limited by the Commission, filed an application upon the form prescribed for the particular examination or registration which he seeks and does not exhibit an official notice to appear for such examination or registration.
3. Who is found to lack any preliminary requirement for the examination or service which he seeks.
4. Who is not within the age limit prescribed for the service which he seeks.
5. Who is physically unfit for the service which he seeks.
6. Who is addicted to the habitual use of intoxicating beverages to excess.
7. Who has been guilty of a crime or notoriously disgraceful conduct.
8. Who has, within two years, been dismissed from the public service for delinquency or misconduct.
9. Who has intentionally made a false statement of any material fact or practiced, or attempted to practice, any deception or fraud in his application, or examination, or in securing eligibility or appointment.
10. Who is not a qualified elector of the State of Colorado, except as to those offices or positions held by the Civil Service Commission to require special training and technical qualifications, as provided in Article XII, Section 13, of the Constitution of the State.

### IV. Examinations.

Official notice of the time and place of examination will be given to all candidates whose applications have been duly filed and approved.

The subjects of examination and their relative weights will vary with the requirements of the service for which the examination is held. Practical and oral tests may be given.

Where physical capacity is of importance, a certificate from a reputable physician or a physical examination may be required.

Unskilled laborers will not be examined for registration except as to age, residence, physical condition, ability to labor, sobriety, industry and experience, as to which the application with accompanying certificates will usually be sufficient evidence.

### V. What Applicants Should Bring to Examination Room.

Persons taking the stenographer and typewriting examinations must provide themselves with typewriting machines and stands or tables; those taking the bookkeeper, draughtsman, or other examinations requiring the use of instruments, must furnish the instruments required. All competitors must provide themselves with pens, penholders, pencils, erasers, ink and blotters. Competitors should not bring any paper for use in the examination room, as sufficient blank paper will be furnished for all purposes.



Each applicant must present his notice of examination to be admitted to the examination.

#### VI. Conduct of Examinations.

The following is a copy of the regulations which are given to each competitor at the beginning of every examination:

1. Before proceeding to answer the questions in the examination, you will fill out and sign a declaration sheet and seal the same in an official envelope. At the close of the examination, this envelope and your papers shall all be marked by the examiner with an identical number to be known as your examination number. **You must not fill in the blank provided for this number on your papers.** If any name or other means of identification is found on any papers or envelope, the papers will not be examined.

2. See that each sheet received by you pertains to the kind of examination which you are taking, and take care that you do not omit any of the sheets, which must all be returned at the close of the examination. Competitors are held responsible for errors and omissions.

3. Note in the proper blank spaces the place and date of the examination, and the time of commencing and completing each examination sheet.

4. You are not limited in time on any sheet, but you should gauge your work so as to complete the examination within the prescribed limit of time. Time is reckoned from the moment of receiving the first examination sheet. No allowance will be made for time lost in or out of the examination room.

5. Do not leave the room with a sheet before you unfinished, for if you do the sheet will be taken up and will not be returned to you. Competitors are allowed to leave the examination room for luncheon on the completion of any sheet of questions, after 12 o'clock. No additional allowance of time will be granted on account of such absence. No competitor shall leave the room at any time without permission of the examiner.

6. Read carefully the printed instructions on each sheet before commencing work thereon.

7. If necessary, the back of a sheet may be used to complete your work, unless directions to the contrary are printed on the sheet.

8. A question sheet spoiled by you can not be exchanged for another of the same kind.

9. Perform all work on each examination sheet with ink.

10. Pencil and scratch paper may be used in preliminary work, except in spelling exercise, which must be written with ink directly on the examination sheet from the dictation of the examiner.

11. Use no scratch paper except that furnished by the examiner in charge and, on completing an examination sheet, hand him the scratch paper pertaining to that sheet. Have all your work complete on the examination sheet, however, as the scratch paper is collected, not for consideration in the marking, but for destruction.

12. No helps of any kind are allowed. Before the examination is commenced, hand to the examiner any written or printed matter that

you may have which might, if used, aid in your work. Do not make a copy of any of the questions to be taken from the examination room.

13. All conversation or communication between the competitors during the examination is strictly prohibited.

14. CAUTION. Every competitor is cautioned not to attempt to copy from the work of any other competitor nor to permit any competitor to copy from his work or look over the sheets in his possession. All work, as soon as written, should be carefully covered with a blotter or turned over as the sheets are completed. Evidences of copying or collusion in an examination may result in the cancellation of the examination papers and in debarring those guilty from all future examinations.

15. All necessary explanations will be made to the whole class. Examiners are forbidden to explain the meaning of any question or to make any remarks or suggestions that may assist in its solution.

16. No unnecessary delay will occur in marking your papers, and you will be notified of your standing, whether you pass or fail, as soon as your papers are marked. You are requested not to increase the labors of the Commission by making inquiries in regard to your standing.

#### VII. Notice of Standing to Competitors:

A notice of standing will be sent to each candidate examined, as soon as practicable, after the papers are rated. The notice will show the general average obtained, which must be at least 70 per cent. to secure the entry of the candidate's name on the appropriate eligible list.

#### VIII. When Period of Eligibility Begins and Ends:

The name of each successful candidate is entered upon the appropriate eligible list as soon as practicable after the completion of the rating of the papers. The period of eligibility on all lists is two years from the date of entering the name upon it, unless continued for a third year by the Commission. All persons will be notified when their eligibility has terminated.

#### IX. Change of Address.

Applicants and eligibles must keep the Commission informed of any change of postoffice address. A failure to do so will be treated as the fault of the applicant or eligible, and may result in his losing an opportunity of examination or appointment. Requests to have the address changed should be made by letter, and should state whether the applicant has been examined. Such letter should relate only to the change in address. All communications should be directed to the State Civil Service Commission, State Capitol, Denver, Colorado.

## RULES

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Amended and Approved to November 30, 1920.

### I.

#### ORGANIZATION AND POWERS OF THE COMMISSION.

(Constitutional Provision, Article XII, Section 13, and State Civil Service Law, Section 5.)

1. The making and enforcement of rules to carry out the purposes of this amendment and of the laws enacted in pursuance thereof, the alteration and rescission of such rules, the conduct of all competitive tests, the determination of all removal or disciplinary cases, the standardization of all positions, the determination of standards of efficient service and the determination of the grades of all positions in the classified service shall be vested in the Commission.

### II.

#### CLASSIFICATION.

1 All positions in the State Civil Service of Colorado shall be classed as follows:

##### CLASS "A." EXECUTIVE SERVICE.

All positions, the duties of which are of an executive character.

SUB-CLASS 1. Superintendents (Penal and Charitable institutions—except such as are hereinafter specially provided for.)

State Home for Dependent and Neglected Children.

State Industrial School for Boys.

State Industrial School for Girls.

Colorado Industrial Workshop for the Blind.

House of Detention.

SUB-CLASS 2. Assistant Superintendents.

(Same.)

State Home for Dependent and Neglected Children.

Colorado School for the Deaf and Blind.

SUB-CLASS 3. Wardens (Penal Institutions).

Colorado State Penitentiary.

Colorado State Reformatory.

SUB-CLASS 4. Deputy Wardens (Same).

Colorado State Penitentiary.

Colorado State Reformatory.

SUB-CLASS 5. Commandants.

Colorado Soldiers' and Sailors' Home.



**SUB-CLASS 6. Commissioners.**

State Bank Commissioner.  
 State Game and Fish Commissioner.  
 State Highway Commissioner.  
 Commissioner of Immigration.  
 Commissioner of Insurance.  
 Commissioner of Public Printing.  
 Pure Food Commissioner.  
 Board of Corrections.  
 State Tax Commissioners.  
 Jury Commissioners.

**SUB-CLASS 7. Deputy Commissioners.**

Chief Deputy State Bank Commissioner.  
 Deputy State Bank Commissioners.  
 Deputy State Game and Fish Commissioner.  
 Deputy Commissioner of Immigration.  
 Deputy Dairy Commissioner.

**CLASS "B." CLERICAL SERVICE.**

All positions, the duties of which are of a clerical character, and which are not otherwise specially provided for herein.

**SUB-CLASS 1. Secretaries.**

State Board of Capitol Managers.  
 State Board of Charities and Corrections.  
 State Bureau of Child and Animal Protection.  
 Child Welfare Bureau.  
 State Civil Service Commission.  
 State Geological Survey.  
 State Industrial Commission.  
 State Highway Commission.  
 State Board of Pardons.  
 Public Utilities Commission.  
 State Board of Stock Inspection Commissioners.  
 State Tax Commission.  
 State Wage Board.  
 Blind Benefit Commission.  
 Universities and Colleges—  
     Deans' Secretaries.

**Adjutants.**

Soldiers and Sailors' Home.

**Chief Clerks.**

Civil Service Commission.  
 State Inspector of Coal Mines.  
 State Insurance Department.  
 State Game and Fish Department.  
 State Board of Land Commissioners.

State Board of Immigration.  
Bureau of Mines.  
Secretary of State.  
State Industrial School for Boys.  
State Penitentiary.  
State Reformatory.  
State Board of Health.

**Examiners.**

Civil Service Commission.

**Registrars.**

Colorado School of Mines.  
State Treasurer.

**Deputy Registrars.**

State Board of Land Commissioners.

**SUB-CLASS 2. Clerks (except as otherwise provided for herein.)**

Office of—

Auditor of State.  
Attorney General, Inheritance Tax Department.  
State Bank Commissioner.  
Inspector of Steam Boilers.  
Board of Capitol Managers.  
Board of Charities and Corrections.  
Board of Pardons.  
Bureau of Child and Animal Protection.  
Inspector of Coal Mines.  
State Engineer.  
State Board of Equalization.  
State Game and Fish Department.  
Governor.  
State Board of Health.  
State Insurance Department.  
State Board of Land Commissioners.  
Traveling Library Commission.  
Superintendent of Public Instruction.  
Public Utilities Commission.  
Industrial Commission.  
State Highway Commission.  
Secretary of State.  
State Board of Stock Inspection Commissioners.  
Jury Commissioners.  
State Tax Commission.  
State Treasurer.  
State Agricultural College.  
Fort Lewis School of Agriculture.  
State Normal Schools.  
University of Colorado.  
Colorado School for the Deaf and the Blind.

State Home for Dependent and Neglected Children.  
State Industrial School for Girls.  
State Penitentiary.  
State Historical and Natural History Society.  
Commission for Revision of Statutes.  
State Board of Immigration.

**SUB-CLASS 3. Bookkeepers.**

Office of—

Auditor of State.  
State Insurance Department.  
Secretary of State.  
State Treasurer.  
State Home for Dependent and Neglected Children.  
State Industrial School for Girls.  
State Home and Training School for Mental Defectives.  
State Penitentiary.  
Soldiers' and Sailors' Home.  
Industrial Commission.  
State Highway Commission.  
State Agricultural College.  
State Teachers' College.  
University of Colorado.

**SUB-CLASS 4. Librarians.**

Traveling Library Commission.  
Assistant State Librarian.  
Supreme Court.  
School of Mines.  
University of Colorado.  
Soldiers' and Sailors' Home.  
State Agricultural College.

**SUB-CLASS 5. Stenographers, Typists.**

Office of—

Attorney General.  
Inheritance Tax Department.  
Auditor of State.  
Public Examiner.  
State Bank Commissioner.  
Board of Charities and Corrections.  
Board of Pardons.  
Inspector of Steam Boilers.  
Bureau of Child and Animal Protection.  
Inspector of Oils.  
Civil Service Commission.  
State Engineer.  
State Entomologist.  
State Dairy Commissioner.  
Game and Fish Department.

State Board of Health.  
State Highway Commission.  
State Insurance Department.  
State Board of Land Commissioners.  
Bureau of Mines.  
Superintendent of Public Instruction.  
State Historical and Natural History Society.  
Public Utilities Commission.  
Industrial Commission.  
Commission for Revision of Statutes.  
Secretary of State.  
State Board of Stock Inspection Commissioners.  
State Treasurer.  
State Tax Commission.  
State Agricultural College.  
Fort Lewis School of Agriculture.  
State Teachers' College.  
State Normal School.  
University of Colorado.  
State Home for Dependent and Neglected Children.  
State Penitentiary.  
State Hospital.  
State Board of Immigration.

**SUB-CLASS 6. Cashiers.**

Office of—

Secretary of State.  
State Treasurer.

**SUB-CLASS 7. Telephone Operators.**

Office of—

Board of Capitol Managers.  
State Agricultural College.  
State Teachers' College.  
State Hospital.  
University of Colorado.

**SUB-CLASS 8. Messengers, Office Boys.**

Office of—

Governor.  
Secretary of State.  
University of Colorado.  
State Highway Commission.

**SUB-CLASS 9. Comptometer Operator.**

Office of—

Board of Immigration.

**CLASS "C." MEDICAL SERVICE.**

All positions, the duties of which require medical or pharmaceutical knowledge.

**SUB-CLASS 1. Medical Superintendents.**

State Hospital.

State Home and Training School for Mental Defectives.

**SUB-CLASS 2. Assistant Medical Superintendents.**

State Hospital.

Physicians and Surgeons.

State Home for Dependent and Neglected Children.

State Industrial School for Boys.

State Industrial School for Girls.

State Penitentiary.

State Reformatory.

Soldiers' and Sailors' Home.

Director V. D. State Board of Health.

**SUB-CLASS 3. Assistant Physicians.**

State Hospital.

State Home and Training School for Mental Defectives.

Internes.

University of Colorado—Medical School.

**SUB-CLASS 4. Pharmacists, Apothecaries, Druggists, Hospital Stewards.**

University of Colorado—Medical School.

State Penitentiary.

Soldiers' and Sailors' Home.

State Hospital.

**SUB-CLASS 5. Medical Inspectors.**

State Board of Health.

**SUB-CLASS 6. Veterinarians.**

The State Veterinarian.

**CLASS "D." CUSTODIANS.**

All positions, the duties of which are the charge of property or persons, or as attendants, except as classified in Class "E."

**SUB-CLASS 1. Stewards, Superintendent of Equipment.**

State Hospital.

State Home and Training School for Mental Defectives.

State Penitentiary.

State Reformatory.

State Highway Commission.

Overseer.

State Penitentiary.

State Reformatory.

State Agricultural College.

**Quartermasters.**

Soldiers' and Sailors' Home.

**SUB-CLASS 2. Matrons.**

Board of Capitol Managers.

Colorado School for the Deaf and the Blind.

State Home for Dependent and Neglected Children.

State Industrial School for Boys.

State Industrial School for Girls.

State Hospital.

State Home and Training School for Mental Defectives.

State Penitentiary.

**Storekeepers.**

Colorado School for the Deaf and the Blind.

Colorado School of Mines—Chemical Laboratory.

State Highway Commission.

**Commissaries.**

Soldiers' and Sailors' Home.

**SUB-CLASS 3. Captains and Lieutenants of Guards.**

State Penitentiary.

**SUB-CLASS 4. Parole Officers, State Agents, Humane Officers.**

Penitentiary and Reformatory.

Industrial School for Boys.

Industrial School for Girls.

State Home for Dependent and Neglected Children.

State Bureau of Child and Animal Protection.

**SUB-CLASS 5. Cottage Matrons, Matrons in Charge of Children.**

State Home for Dependent and Neglected Children.

State Industrial School for Boys.

State Industrial School for Girls.

State Penitentiary.

**SUB-CLASS 6. Boys' and Girls' Attendants and Supervisors.**

Colorado School for the Deaf and the Blind.

State Home for Dependent and Neglected Children.

**SUB-CLASS 7. Foremen. (Grounds, Buildings, Shops, etc.)**

State Board of Capitol Managers.

State Agricultural College.

State Normal Schools.

University of Colorado.

Industrial Workshop for the Blind.

State Penitentiary.

State Reformatory.

State Highway Commission.

**SUB-CLASS 8. Janitors.**

State Board of Capitol Managers.  
State Agricultural College.  
Colorado School for the Deaf and the Blind.  
Colorado School of Mines.  
State Teachers' College.  
State Normal School (Gunnison).  
University of Colorado.  
State Home for Dependent and Neglected Children.  
State Industrial School for Boys.  
State Hospital.  
State Home and Training School for Mental Defectives.  
Soldiers' and Sailors' Home.

**Watchmen.**

State Board of Capitol Managers.  
State Agricultural College.  
Colorado School for the Deaf and the Blind.  
Colorado School of Mines.  
University of Colorado.  
State Home for Dependent and Neglected Children.  
State Industrial School for Boys.  
State Hospital.

**Keepers.**

State Penitentiary—Cell House Keepers.

**Guards.**

State Penitentiary.  
State Reformatory.

**Turnkeys.**

State Penitentiary.

**Guides.**

Board of Capitol Managers.  
Colorado School for the Deaf and the Blind—  
Visitors' Attendants.  
State Penitentiary.

**Custodians.**

Board of Capitol Managers—War Relics Department.  
State Highway Department.

**Bailiffs.**

Supreme Court.  
District Courts.  
County Courts.  
Juvenile Courts.

**Gatemen.**

State Hospital  
State Penitentiary.

**Ward Sergeants.**

Soldiers' and Sailors' Home.

**SUB-CLASS 9. Chief Game Wardens.**

State Game and Fish Department.

**SUB-CLASS 10. Deputy Game Wardens.**

State Game and Fish Department.

**CLASS "E." NURSING SERVICE.**

Officers, Nurses, Attendants, etc., having care of the sick or insane.

**SUB-CLASS 1. Head Nurses.**

State Hospital.

State Home and Training School for Mental Defectives.

University of Colorado—Medical School.

**SUB-CLASS 2. Trained Nurses.**

In all State Institutions when needed.

**SUB-CLASS 3. Head Ward Nurses.**

State Hospital.

State Home and Training School for Mental Defectives.

State Home for Dependent and Neglected Children.

Soldiers' and Sailors' Home.

**SUB-CLASS 4. Nurses and Attendants.**

Colorado School for the Deaf and the Blind.

State Home for Dependent and Neglected Children.

State Industrial School for Boys.

State Industrial School for Girls.

State Hospital.

State Home and Training School for Mental Defectives.

Soldiers' and Sailors' Home.

University of Colorado—Medical School.

**CLASS "F." TEACHING SERVICE.**

All positions, the duties of which are scholastic instruction or to educate or test the ability to instruct. (Educational institutions excepted.)

**SUB-CLASS 1. Principal of Schools in the institutions which are subject to the provisions of this law.**

State Industrial School for Boys.

State Industrial School for Girls.

State Home for Dependent and Neglected Children.

State Reformatory.

**SUB-CLASS 2. Teachers in all branches, other than such as are specially provided for in this classification.**

State Industrial School for Boys.



State Industrial School for Girls.  
State Home for Dependent and Neglected Children.  
State Home and Training School for Mental Defectives.  
State Reformatory.  
State Hospital.  
Child Welfare Bureau, Organizer.

**SUB-CLASS 3. Examiners (Scholastic).**

**CLASS "G." ENGINEERS.**

All positions where qualifications of an engineering or cognate character are required.

**SUB-CLASS 1. Civil Engineers.**

Department of—

State Engineer.  
State Geological Survey.  
State Highway Commission.  
Public Utilities Commission.  
State Industrial Commission.

**SUB-CLASS 1-A. Instrument Men.**

State Highway Department.

**SUB-CLASS 2. Hydrographers, Water Commissioners.**

Department of—

State Engineer.

**SUB-CLASS 3. Draftsmen.**

Department of—

State Engineer.  
State Geological Survey.  
Public Utilities Commission.  
Industrial Commission.  
State Highway Commission.

**SUB-CLASS 4. Supervisors, Foremen and Inspectors of Road Construction.**

Department of—

State Highway Commission.

**SUB-CLASS 5. Steam Engineers and Tractor Engineers.**

Department of—

State Board of Capitol Managers.  
Colorado School for the Deaf and the Blind.  
State Home for Dependent and Neglected Children.  
State Industrial School for Boys.  
State Industrial School for Girls.  
State Hospital.  
State Home and Training School for Mental Defectives.  
Colorado School of Mines.

State Penitentiary.  
State Reformatory.  
State Highway Department.  
State Soldiers' and Sailors' Home.  
University of Colorado.

**SUB-CLASS 6. Electrical Engineers, Dynamo Tenders, Electricians, Mechanics.**

Department of—

State Board of Capitol Managers.  
Public Utilities Commission.  
Colorado School of Mines.  
State Reformatory.  
State Highway Commission.

**SUB-CLASS 7. Mechanical Engineers.**

Department of—

Public Utilities Commission.  
State Highway Department.

**SUB-CLASS 8. Chainmen, Rodmen and Axmen.**

State Highway Department.

**SUB-CLASS 9. Firemen.**

Department of—

Board of Capitol Managers.  
Colorado School for the Deaf and the Blind.  
State Home for Dependent and Neglected Children.  
State Hospital.  
State Home and Training School for Mental Defectives.  
Soldiers' and Sailors' Home.  
State Industrial School for Boys.  
Fort Lewis School of Agriculture.  
Colorado School of Mines.  
State Teachers' College.  
University of Colorado.

**SUB-CLASS 10. Elevator Pilots.**

Department of—

Board of Capitol Managers.

**CLASS "H." MECHANICS AND CRAFTSMEN.**

All positions requiring special mechanical skill, or as craftsmen, not classified as laborers.

**SUB-CLASS 1. Blacksmiths.**

Industrial School for Boys.  
State Penitentiary.  
State Highway Department.

**SUB-CLASS 2. Carpenters.**

Board of Capitol Managers.  
State Industrial School for Boys.  
State Hospital.  
State Penitentiary.  
Soldiers' and Sailors' Home.  
State Agricultural College.  
State School for the Deaf and the Blind.  
University of Colorado.  
State Highway Department.

**SUB-CLASS 3. Machinists, Master Mechanic and Mechanic.**

Industrial School for Boys.  
Colorado School of Mines.  
State Highway Department.

**SUB-CLASS 4. Masons and Concrete Experts.**

State Industrial School for Boys.  
State Highway Department.

**SUB-CLASS 5. Plumbers.**

State Hospital.  
University of Colorado.

**SUB-CLASS 6. Printers.**

State Industrial School for Boys.  
University of Colorado.

**SUB-CLASS 7. Shoemakers.**

State Industrial School for Boys.

**SUB-CLASS 8. Instructors in any handicraft or mechanical or other trade.**

State Industrial School for Boys.

**CLASS "I." AGRICULTURAL SERVICE.**

All positions, the duties of which require agricultural or horticultural knowledge, including arboriculture and the breeding and care of domestic animals, or any similar knowledge or qualifications, and which are not otherwise specially provided for herein.

**SUB-CLASS 1. Horticulturists and Assistants.**

State Agricultural College.

**SUB-CLASS 2. Farmers, Farm and Ranch Superintendents.**

State Home for Dependent and Neglected Children.  
State Industrial School for Girls.  
State Hospital.  
State Home and Training School for Mental Defectives.  
State Penitentiary.  
State Reformatory.  
State Agricultural College.

**SUB-CLASS 3. Florists, Gardeners.**

State Home for Dependent and Neglected Children.  
State Industrial School for Boys.  
State Hospital.  
Soldiers' and Sailors' Home.

**SUB-CLASS 4. Dairymen.**

State Home for Dependent and Neglected Children.  
State Hospital.  
Fort Lewis School of Agriculture.

**SUB-CLASS 5. Stockmen, Herdsmen.**

State Industrial School for Boys.  
Soldiers' and Sailors' Home.  
State Agricultural College.  
State Penitentiary.

**CLASS "J." LEGAL SERVICE.**

All positions requiring some legal qualifications and positions in the Courts of Record.

**SUB-CLASS 1. Claims Department, Chief and Assistants.**

Industrial Commission.

**SUB-CLASS 2. Clerks of Courts (not exempt).**

District Courts.  
County Courts.  
Juvenile Courts.

**SUB-CLASS 3. Deputy Clerks of Courts.**

Supreme Courts.  
District Courts.  
County Courts.  
Juvenile Courts.

**SUB-CLASS 4. Taxing, Transcript, Index Clerks, etc., in Courts of Record.**

District Courts.  
County Courts.  
Juvenile Courts.

**SUB-CLASS 5. Reporters of the Appellate Courts.**

Supreme Court.

**SUB-CLASS 6. Deputy Appraisers and Investigators.**

Inheritance Tax Department.

**SUB-CLASS 7. Shorthand Reporters in Courts of Record.**

District Courts.  
County Courts.

Juvenile Courts.  
Public Utilities Commission.  
Industrial Commission.

### CLASS "K." MATHEMATICIANS.

All positions requiring special mathematical qualifications.

#### SUB-CLASS 1. Public Examiners.

Department of Auditor of State.

#### SUB-CLASS 2. Deputy Public Examiners, State Examiners.

Department of Auditor of State.

#### SUB-CLASS 3. Clerks in the office of the Public Examiner.

Department of Auditor of State.

#### SUB-CLASS 4. Actuaries.

State Insurance Department.

State Industrial Commission.

#### Accountants.

Public Utilities Commission.

State Agricultural College.

Industrial Workshop for the Blind.

#### Statisticians.

Public Utilities Commission.

Secretary of State—Labor Department.

Industrial Commission.

State Board of Health.

#### SUB-CLASS 5. Rate Experts, Investigator.

Public Utilities Commission.

Industrial Commission.

Insurance Department.

Tax Commission.

### CLASS "L." INSPECTORS AND SPECIAL AGENTS.

All positions, the duties of which are the inspection of materials, workmanship or sanitation, and all positions requiring detective ability.

#### SUB-CLASS 1. Inspectors and Investigators of Material and Workmanship and Safety Conditions.

Public Utilities Commission.

Industrial Commission.

Inspectors of Steam Boilers.

Inspectors of Oils.

Inspectors of Mines.

Inspectors of Factories.

Inspectors of Buildings and Loans.

State Plumbing Inspector.  
Motor Vehicle Department.  
Inspectors Ore Buyers' Department.  
State Highway Department.

**SUB-CLASS 2. Deputy Inspectors (Same as above).**

**SUB-CLASS 3. Inspectors of Sanitary Conditions.**

Food Inspectors.  
Drug Inspectors.  
—Board of Health.  
Meat Inspectors—Meat Inspection Department.  
Brand and Sanitary Inspectors.  
Mange Inspectors.  
—Board of Stock Inspection Commissioners.  
Dairy Inspectors—Dairy Department.  
Fieldmen—Dairy Department.  
Bee Inspectors.  
Pest Inspectors.  
—Entomological Department.

**SUB-CLASS 4. Superintendent and Assistant Superintendent of Free Employment Bureaus.**

Department of Secretary of State.

**SUB-CLASS 5. Land Appraisers.**

State Board of Land Commissioners.

**SUB-CLASS 6. Insurance Examiners.**

State Insurance Department.

**SUB-CLASS 7. Mineral Superintendents.**

State Board of Land Commissioners.

**CLASS "M." SCIENTISTS.**

All positions requiring special scientific knowledge.

**SUB-CLASS 1. Geologists.**

State Geological Survey.

**SUB-CLASS 2. Assistant Geologists.**

State Geological Survey.

**SUB-CLASS 3. Entomologists.**

State Entomological Department.

**SUB-CLASS 4. Chemists.**

State Board of Health.  
State Geological Survey.

**SUB-CLASS 5. Bacteriologists.**

State Board of Health.



**SUB-CLASS 6. Paleontologists.**

State Geological Survey.

**SUB-CLASS 7. Museum Curators.**

State Historical and Natural History Society.

Bureau of Mines.

**CLASS "N." PISCICULTURISTS.**

All positions, the duties of which require a knowledge of the culture of fish.

**SUB-CLASS 1. Superintendent of Fish Hatcheries.**

State Field Superintendent.

**SUB-CLASS 2. Superintendents of Fish Hatcheries.****SUB-CLASS 3. Fish Culturists, Spawn Takers.****SUB-CLASS 4. Assistants in taking spawn; at hatcheries, etc.**

(All above positions in the State Game and Fish Department.)

**CLASS "O." MISCELLANEOUS POSITIONS.**

Including all positions requiring expert or other qualifications not embraced in other groups in this classification.

**SUB-CLASS 1. Chaplains.**

Industrial School for Boys.

State Penitentiary.

State Reformatory.

Soldiers' and Sailors' Home.

**SUB-CLASS 2. Musicians.**

Industrial School for Boys.

Industrial School for Girls.

**SUB-CLASS 3. Drivers, Hostlers.**

Industrial School for Boys.

State Hospital.

Soldiers' and Sailors' Home.

**SUB-CLASS 4. Bakers.**

Colorado School for the Deaf and the Blind.

Industrial School for Boys.

State Hospital.

Soldiers' and Sailors' Home.

**SUB-CLASS 5. Butchers.**

State Hospital.

Soldiers' and Sailors' Home.

**SUB-CLASS 6. Laundrymen, Laundresses.**

Colorado School for the Deaf and the Blind.  
State Home for Dependent and Neglected Children.  
State Industrial School for Boys.  
State Hospital.  
State Home and Training School for Mental Defectives.  
Soldiers' and Sailors' Home.

**SUB-CLASS 7. Cooks.**

Colorado School for the Deaf and the Blind.  
State Home for Dependent and Neglected Children.  
State Industrial School for Boys.  
State Industrial School for Girls.  
State Hospital.  
State Home and Training School for Mental Defectives.  
Soldiers' and Sailors' Home.  
House of Detention.

**SUB-CLASS 8. Seamstress.**

Colorado School for the Deaf and the Blind.  
State Home for Dependent and Neglected Children.  
State Industrial School for Girls.

**SUB-CLASS 9. Tailors.**

State Industrial School for Boys.  
State Penitentiary.  
State Reformatory.  
Soldiers' and Sailors' Home.

**SUB-CLASS 10. Other Positions, except those specifically named in this classification as in other groups or hereafter included in them.**

(1) The omission in the above classification of any official designation or appellation of a position in the service shall not exclude such position from the classification, as it will be comprised in the class and sub-class to which it belongs by the general definition and specifications of such class and sub-class.

(2) The Commission may further subdivide, for the purpose of examination, the positions in any class, or sub-class thereof, so as to test practically the special qualifications requisite for such positions.

**III.****FEEES AND APPLICATIONS.**

(1) No person shall be admitted to examination or registration for a position in the classified service until he shall have filed an application under oath upon a form prescribed by the Commission, giving such evidence in regard to age, citizenship, character, physical and mental capacity, previous employment, training and fitness as the Commission may require. All applications must be filled out and signed in

the handwriting of the applicant except that persons who are unable to write may have their applications filled out by some other person, but must have their names identified by their marks and said mark witnessed.

(2) Every application shall bear the certificate of at least three reputable persons to the effect that they have personally known the applicant; that they read his statement and believe it to be correct; that they know him to be of good character and reputation, and that they will, upon request, give the Commission such further facts concerning him as they possess; Provided, that the Commission may, in its discretion, waive the requirements as to certificates, and accept, in lieu thereof, references to three reputable persons who have personally known the applicant and can give the information required.

(3) The Commission may fix the limits of time between which applications for a given examination shall be presented; but such period shall in no case be less than ten days.

(4) A defective application shall be returned for correction and shall be accepted if returned in correct form before the date of examination.

(5) No application shall be accepted unless the applicant is within the age limitations fixed by the Commission for entrance to the position to which he seeks to be appointed, and is a qualified elector of the State of Colorado, except as provided in Article XII, Section 13, of the Constitution of the State.

(6) Where physical qualifications are necessary the Commission may require the applicant to file with his application a certificate of physical fitness from a reputable physician, or in its discretion may require the applicant to submit to examination before physical examiners appointed by the Commission.

(7) Applications when presented shall be dated, numbered and recorded in the order of their receipt. An application that has been accepted and filed shall not be returned for any reason to the applicant.

#### IV.

#### EXAMINATIONS.

(1) Examinations shall be open to all those who comply with the requirements in regard to applications and fees and who are not debarred for sufficient cause under Article XII, Section 13, of the Constitution of the State of Colorado, the civil service statute and the rules of the Commission; but no person shall be examined who is not a qualified elector of the State of Colorado. The Commission may, however, waive this requirement in connection with particular examinations because of the technical or professional character of the position to be filled, or because of the difficulty in procuring applicants who are electors of the State of Colorado.

(2) All examinations shall be public and shall relate to such matters as will fairly test the relative capacity and fitness of the persons examined to discharge the duties of that service into which they

seek to be appointed and may include special practical tests of fitness for any particular positions requiring scientific, professional and technical knowledge or manual skill.

(3) So far as practicable, examinations shall be held annually and the dates of examinations published at the beginning of the year.

(4) All examinations shall be advertised at least two weeks prior to the final date for the receipt of applications by at least two insertions in one or more newspapers published in the State, or by such other methods as the Commission may elect. Notices of examination shall, at the same time, be posted in the office of the Commission and sent to at least ten of the principal newspapers throughout the State and to at least one hundred of the principal postmasters and to all county recorders, with a request that they be posted in their offices. The notice of examination shall set forth in each case (a) the title of the position, (b) the time and place of examination, (c) the date upon which receipt of applications will close, (d) such other information as the Commission may deem pertinent and necessary.

(5) Competitive examinations except for positions in grade 4, 5, or 6, shall be held simultaneously in the City of Denver and in such other counties as the Commission may designate as being to the best interests of the service.

(6) The Commission may designate three persons at each state institution and wherever expedient, to act as a local board of examiners, and to perform such duties in the administration of the State Civil Service Act, as the Commission shall direct.

(7) The subjects of examinations and the weight to be attached to each subject in marking shall be determined by the chief examiner, subject to the direction of the Commission.

(8) Each subject shall be marked upon a scale of 100, which shall represent the maximum possible attainment. No person shall be placed upon the eligible list whose final average is less than 70 per cent.

(9) In preparing the questions to be used in an examination, the chief examiner may consult with the head of the department or with experts, in regard to the duties of the position to be filled. But the questions actually to be used shall be kept absolutely secret in advance of the examination.

(10) Whenever practicable the examinations shall be written, but the Commission may determine whether the examination shall be written or oral, or both, provided the same is decided upon in advance of the examination, and a written record is made of the oral examination.

(11) Medical and physical examinations, when deemed necessary, shall be conducted by physicians designated by the Commission, and a failure to pass such examinations shall absolutely debar a candidate from the eligible list.

(12) Whenever, in its opinion, any position to be filled in the competitive class has a fiduciary or executive character, the Commission may require, as a part of the examination, such special certificates by reputable and responsible citizens as to the character, trustworthi-

ness and business experience of an applicant or eligible as it may deem proper and expedient. All such special certificates shall be properly filed and retained as records in the office of the Commission.

(13) When the position to be filled involves fiduciary responsibility, the appointing officer may require the appointee to furnish a bond in such amount as the Commission may deem reasonable.

(14) Before proceeding to answer the questions in the examination each competitor shall be required to fill out and sign a declaration sheet, giving his full name and address and such other information as the Commission may require, and to seal the same in an official envelope. The envelope and the papers of the candidate shall be marked with an identical number. At the close of the examination the envelope shall be placed in a sealed package and deposited in a safe place, and the package shall be opened for the identification of the papers only after the marking has been completed on all the papers. Any paper bearing the name of the candidate, or any other identification mark, shall be rejected, and specific announcement of this fact shall be made at the commencement of the examination.

(15) Upon the completion of the marking each candidate shall receive notice of his rating, and shall, on application, subject to the regulations of the Commission, be permitted to see the eligible list and inspect his papers.

(16) No request for a review of the marking shall be entertained by the Commission unless made within ten days of the date when the notice as to the standing of the candidates is sent out, nor unless the applicant shall specify the matters to which he objects; and no change in rating shall be made unless some manifest error shall appear on the face of the papers.

(17) No person shall be permitted to examine the lists of questions or any examination papers in the hands of the Civil Service Commission, unless in the opinion of all the members of the Commission, such examination is required in the interest of the public service.

## V.

### ELIGIBLE LISTS.

(1) The names of all candidates who receive a final average rating of 70 per cent or over in the examination shall be placed on the appropriate eligible list in the order of their standing in the examination, and against each name shall be noted the date of examination, the date on which the name was entered on the list and the average rating.

(2) When two or more eligibles have received the same average rating the person first filing his application, or if the examination be for promotion, the first appointed in the department shall have priority. In the discretion of the Commission this rule at any time may be waived.

(3) A name will be removed from the eligible list at the expiration of two years, unless, in the judgment of the Commission, it is



advisable that the names of all those whose eligibility is about to expire be continued on the list for a third year. Persons shall be notified when their eligibility has terminated.

## VI.

### REQUISITION, CERTIFICATION AND APPOINTMENT.

(1) The requisition shall state specifically the title and duties of the position to be filled, the compensation to be paid, and whether the position is to be filled permanently or for a temporary period.

(2) The Commission in making certification in response to such requisition shall give the full name and address and the average obtained in the examination of the person standing highest upon the most appropriate list, and shall immediately notify such person by mail of such certification, and the title and salary of the position to be filled. A certification shall remain in force for 15 days. If there be more than one vacancy to be filled the Commission shall certify as many names as there are vacancies, but appointments must be made in the order of standing on the eligible list.

(3) The appointing officer must select for appointment the person certified by the Commission, unless proof of his unsuitability is submitted to the Commission, in which case the Commission may certify an additional name.

(4) The person selected for appointment or promotion shall be duly notified by the appointing officer, and upon accepting and reporting for duty shall receive from such officer a certificate of appointment or promotion.

(5) The name of any person certified as eligible for probationary appointment who shall decline such appointment shall be stricken from the eligible list unless such declination be for one of the following reasons: (a) residence in a county other than that in which the duties are to be performed; (b) insufficiency of the compensation offered; (c) temporary inability, physical or otherwise, the evidence of which must be acceptable to and approved by the Commission and set forth in its minutes.

An eligible who has declined appointment on the ground of residence shall not again be certified for another position in the same county as the one declined.

An eligible who has declined appointment by reason of the insufficiency of the compensation offered shall not again be certified for a similar position at the same or any less compensation.

The failure of an eligible to accept an offer of appointment within one week next succeeding the mailing of notice of appointment shall be considered a declination.

On notification from an appointing officer that a person named in a certification has declined appointment, and on receipt of such declination in writing, or of evidence of the failure of such person to respond to a notice properly sent, such certification shall be completed by the addition of the name of the eligible next in order.



(6) If a person who is not entitled to certification is appointed, his appointment, upon due notification from the Commission, shall be revoked.

(7) All persons appointed or promoted in the classified service shall be assigned to, and perform the duties of, the position to which appointed or promoted. In case of exigency an employee may be temporarily assigned without extra pay to other than his regular duties. But no such assignment shall be for a period of more than ten days without the consent in writing of the Commission thereto.

(8) The Commission may at any time refuse to accept the payroll of any State department or institution which does not agree in every respect with the records on file with the Commission.

## VII.

### PROVISIONAL, TEMPORARY AND EMERGENCY APPOINTMENTS.

(1) Whenever there are urgent reasons for filling a vacancy for which no appropriate eligible list exists the Commission may authorize the appointing power to nominate a person who may be appointed provisionally. The Commission shall, as soon as practical, proceed to advertise and hold a competitive examination and upon completion of the eligible list the provisional appointment shall cease. In case the competitive examination does not furnish an appropriate eligible list the Commission may allow the provisional appointment to continue.

The Commission may, however, in its discretion, after a temporary or provisional appointment has been made, permit said appointment to be made permanent, if within one year prior to the date of such appointment it has held a competitive examination for the position in question and has been unable to create or establish an eligible list therefrom.

(2) When services of a temporary or occasional character are required, and for periods in the aggregate not exceeding six months in any one year, the appointing officer shall notify the Commission, which shall either certify the person standing highest on the eligible list who is willing to accept such temporary appointment or a person designated by the appointing officer. But no such appointment shall continue beyond the period authorized by the Commission. Neither acceptance nor declination of any such temporary employment shall affect the right of the eligible to continued certification for permanent employment; nor shall acceptance confer upon such eligible any of the rights of promotion, transfer or reinstatement.

(3) Where there is a vacancy of an emergency character in a position in the classified service, and it is not practicable either to secure a person by certification from an eligible list or to conduct a competitive examination in the absence of such list in time to meet such emergency, an appointment may be made without certification or examination, subject to the subsequent approval of the Commission, for a period not exceeding one month.

(4) Inmates or students at the State institutions may be assigned by the lawful authorities without examination or registration to such minor duties in their respective institutions as they are fitted to perform; but the compensation of such inmate or student for such services shall be the same for all persons having like duties.

## VIII.

### PROMOTIONS.

(1) A change in rank or grade shall constitute a promotion or a reduction. A material change in duties and in responsibilities shall be deemed a change in rank, and an increase in salary beyond the limits fixed for the grade by clause 7 of this rule, shall be deemed a change in grade.

Whenever a change in grade occurs without a change in position or a material change in duties or responsibilities, persons so affected may be promoted without further examination, when, in the opinion of the Commission, their merit and fitness have been determined by previous examinations or law, and by the records of efficiency of the department or institution in which they are employed.

(2) Vacancies in positions in the classified service above the lowest rank or grade shall, so far as practicable, be filled by promotion from among persons in the same department, office or institution, who have held positions for at least six months in the next lower rank or grade.

(3) The Commission shall send to each person entitled to compete for promotion an application blank, upon which, if he desires to enter the examination, the candidate shall state in full his experience in the service and before entering the service as qualifying him to enter the examination. Such application shall be signed and sworn to, and may be given such weight as the Commission shall see fit.

(4) Examinations for promotion shall be ordered as often as may be necessary to meet or anticipate the needs of the service, and, so far as practicable, shall be held periodically.

(5) If the vacancy to be filled is in a position in grade 3, 4, 5 or 6, the Commission may, if it deems that on account of the executive ability required to fill the position promotion by competitive examination is impracticable and not for the best interests of the service, hold an original competitive examination without regard to the number of persons in the next lower rank or grade.

(6) The examination shall be conducted, the eligible list drawn up and requisition, certification and appointment made in the same manner as prescribed for original appointment in Rules IV, V and VI.

(7) The grades for all departments, offices and institutions, shall be the following:

Grade 1. All positions, the compensation of which is at the rate of not more than seven hundred dollars (\$700) per annum.

- Grade 2. All positions, the compensation of which is at a rate of more than seven hundred dollars (\$700) and not more than one thousand dollars (\$1,000) per annum.
- Grade 3. All positions, the compensation of which is at a rate of more than one thousand dollars (\$1,000) and not more than fifteen hundred dollars (\$1,500) per annum.
- Grade 4. All positions, the compensation of which is at the rate of more than fifteen hundred dollars (\$1,500) and not more than two thousand dollars (\$2,000) per annum.
- Grade 5. All positions, the compensation of which is at the rate of more than two thousand dollars (\$2,000) and not more than twenty-five hundred dollars (\$2,500) per annum.
- Grade 6. All positions, the compensation of which is at the rate of more than twenty-five hundred dollars (\$2,500) per annum.

For purposes of this section, full maintenance in State institutions shall be valued at \$300.00 per annum.

## IX.

### TRANSFERS.

(1) A person who has been permanently appointed in the classified service may be transferred, with the consent of the State Civil Service Commission and of the heads of the departments affected thereby, to a similar position in the same class, sub-class and grade. In special circumstances, one or more of the limitations concerning class, sub-class and grade shall be made to a position, which, in the opinion of the Commission, can be adequately filled by promotion.

## X.

### REINSTATEMENTS.

(1) A person who has been permanently appointed to a position in the classified service and who has been separated from the service through no delinquency or misconduct on his part, may be reinstated in a position in the same class, sub-class and grade in the same department or institution, at the request of the appointing officer, within one year from the date of separation.

The names of such persons, except of those who have resigned from the service, shall be entered upon lists of separated appointees in the order of their original appointment, and shall remain there for a period of one year, and upon notice of a vacancy in the same or a similar position in any department or institution, names from such list of separated appointees shall be certified to the appointing officer in preference to names from the eligible lists; Provided, however, that the names of such persons who have resigned from the service on account of illness, removal to another locality, or for a similar reason which, in the opinion of the Commission, should entitled them to the provisions hereof, may be entered on such lists of separated appointees.

(2) Whenever, for lack of work, or funds, or for other like cause, it becomes necessary in any department or institution to reduce the force in any employment, the person last appointed shall be first discharged; and when such force is increased, persons so discharged shall be reinstated in the order of their original appointment.

(3) No vacation with pay shall be granted by any department or institution without the consent of the Commission to any person in the classified service for more than two weeks in any year; nor unless such person shall have been in the service at least one year and his services shall have been satisfactory during such period; nor unless the duties of his position can, during such vacation period, be performed without any additional expense to the State; and the Commission shall be immediately notified of the giving of such vacation in the same manner as all other changes. In special circumstances, one or more of the above named conditions may be waived by the Commission.

(4) Leave of absence without pay may be granted by the head of the department where such absence does not exceed one month or, in case of sickness, six months, but the Commission, in exceptional cases, the circumstances of which shall be stated in its minutes, may extend such periods, not, however, to exceed one year.

(5) Absence without leave for a period of five days, unless it can be subsequently shown that such absence was unavoidable, may be construed as a resignation.

## XI.

### SUSPENSION, REDUCTION AND DISCHARGE.

(1) Officers or employees in the classified service shall be suspended, removed or discharged, or reduced in rank or compensation, for inefficiency, misconduct or insubordination, or to promote the efficiency of the service, only in the manner following, to-wit:

Persons in the classified service shall hold their respective positions during efficient service and shall be graded and compensated according to standards of efficient service which shall be the same for all persons having like duties. They shall be removed or disciplined only upon written charges which may be filed by the head of a department or by any citizen of the State or by the Commission or members of its staff for failure to comply with such standard, or for the good of the service, to be finally and promptly determined by the Commission upon inquiry and after an opportunity to be heard. No person shall be discharged for a political or a religious reason.

(2) Such charges shall thereupon be investigated by the Commission, or by a disciplinary board designated by the Commission for that purpose. The person concerned shall be given a full copy of the charges, and shall be allowed at least five days in which to make reply to such charges, which reply may be in writing or in person before the said Commission or disciplinary board, as the Commission may direct.

(3) Upon receipt of the explanation, or at the conclusion of a hearing, if such hearing shall be granted, the Commission or disci-



plinary board shall fix the penalty, if any; but the findings of the disciplinary board shall be subject to the approval of the Commission; and the findings of the Commission or of the disciplinary board when so approved, shall be final. Such penalty may be reprimand, to be made a matter of record; fine, not exceeding thirty days' pay, or both; or permanent reduction in rank, grade or compensation; or removal from the service. In fixing the penalty the Commission shall take into account the previous record of the person charged with an offense. The Commission shall thereupon transmit its findings to the head of the department where the person affected is employed, and such findings and decision shall forthwith be enforced; except that heads of departments, with the approval of the Commission, may dispense with services or reduce the compensation of any person employed in a department for any time, irrespective of this section, when there shall be no appropriation to pay for such service, or where economy requires cutting down of the force in such department or the reduction of salaries.

(4) The provisions of this rule as to discharges for cause may be waived, in the discretion of the State Civil Service Commission, in cases of discharges for cause from the penal and charitable institutions of the State.

(5) The appointing power may, at any time, suspend without pay for ten days an employee who, in his judgment, is guilty of any misconduct or breach of discipline; and if, within that period, charges are filed with the Commission against such person, he may, with the consent of the Commission, continue such suspension until the Commission shall hear and decide the charges, which must be done within thirty days after the same are filed.

(6) Whoever discharges an employee otherwise than in accordance with this rule shall be deemed guilty of a misdemeanor, and for each and every offense shall upon conviction be punished by a fine not to exceed one thousand dollars.

(7) Where a provisional appointment has been approved by the State Civil Service Commission to a position in the State government, and the head of a department, board or commission desires to be relieved of said appointee for any cause whatsoever, it will be necessary to notify the Civil Service Commission in writing, at least five days before the provisional appointee may be permanently relieved from duty, setting forth fully the reasons for such contemplated dismissal, and it must appear to the Commission to be for the best interests of the service.

This rule applies only to those provisionally appointed, and not to employees who were holding positions at the time the Constitutional Amendment took effect.

## XII.

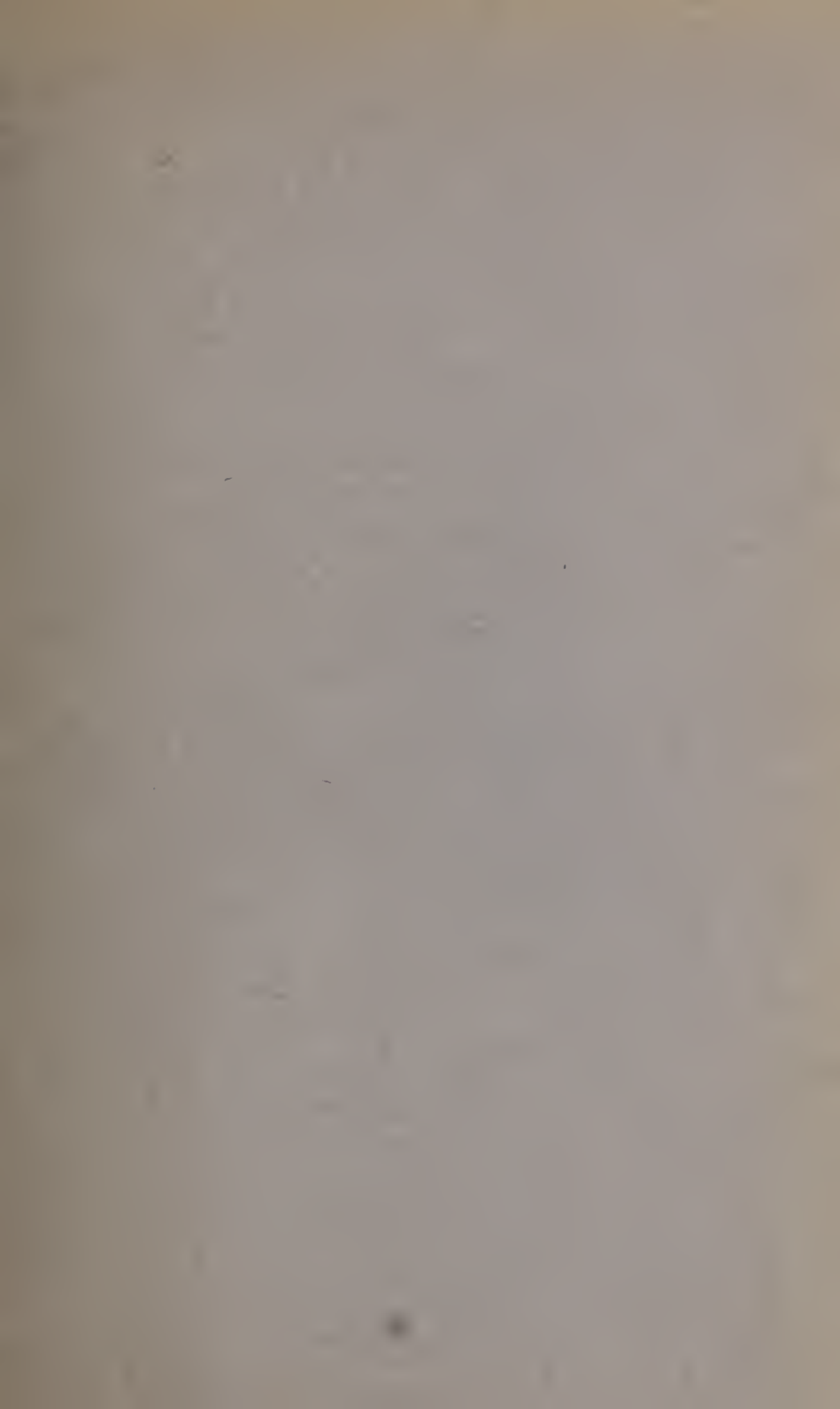
## AMENDMENT OF RULES.

(1) No amendment to these rules shall be adopted by the Commission at the same meeting at which it is proposed, and no final action shall be taken on any amendment in less than five days after its proposal. The Commission shall furnish a copy of the proposed amendments to any one requesting the same and shall allow him an opportunity to be heard if he so desires.









# Date Due

APR 19

JAN 21

Dec 7 '32

Photomount  
Pamphlet  
Binder ( )  
Gaylord Bros.  
Makers  
Syracuse, N. Y.  
PAT. JAN 21, 1908

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